

C-08091

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Full-size Transcript

Prepared by:

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**GOVERNMENT
EXHIBIT**

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17-CR-64 (DWF/KMM)

1 Does this refresh your recollection of whether this
2 agreement is actually -- does it reflect the
3 agreement or your understanding of the agreement that
4 was entered in between -- entered into between the
5 two companies back in March 2011?

6 A I don't know.

7 Q Okay. I think you said that you weren't
8 aware of any of the terms. Back in March 2011, you
9 weren't aware of any of the terms of the agreement
10 between --

11 A That's correct.

12 Q -- Apollo Diamond, Incorporated and Scio
13 Diamond Technology; is that correct?

14 A That's correct.

15 Q Okay. And you don't recall ever seeing
16 this document?

17 A I don't.

18 Q Okay. Do you -- and did -- have you ever
19 seen this --

20 MR. DESPRIET: You mean prior -- prior to
21 getting your subpoena?

22 MR. WISNIEWSKI: Yeah. Right.

23 BY MR. WISNIEWSKI:

24 Q Had you ever seen this document -- while
25 you were employed at Scio Diamond Technology Corp,

1 had -- do you recall ever seeing this document
2 before?

3 A I don't believe so.

4 Q Okay. But you do -- you -- that is your
5 signature and --

6 A That is correct.

7 Q Okay. You have no reason to believe that
8 you did not sign this agreement?

9 A I have no reason to believe that I didn't
10 sign that page.

11 Q Okay.

12 A Right.

13 Q So I guess my question was: Did you review
14 this document before you signed it?

15 A I don't believe I saw it.

16 Q Okay. Do you think it was -- do you recall
17 that there's a signature page was put in front of you
18 or --

19 A I believe during that time I received a
20 number of signature pages.

21 Q Okay. And I think your testimony is you
22 never saw this while you were employed at Scio
23 Diamond Technology Corporation. So is it safe to
24 assume that you had no input over the terms or the
25 language of this agreement?

1 A I had no input on any of the terms.

2 Q Okay.

3 A Correct.

4 Q Okay. Okay. Is it your understanding
5 that -- that Scio Diamond Technology Corporation paid
6 \$2 million for the -- for the assets of Apollo
7 Diamond, Incorporated?

8 A Yes.

9 Q Okay. And do you also understand that Scio
10 Diamond Technology Corporation paid \$100,000 for the
11 assets of Apollo Diamond Gemstone Corporation?

12 A I thought it was one entity and I thought
13 it was all one purchase price.

14 Q Okay. So back in August 31, 2011, you
15 thought that the agreement was just between Scio
16 Diamond Technology Corporation and Apollo Diamond?

17 A And any wholly-owned subsidiary.

18 Q Okay. You didn't think they were two
19 separate agreements?

20 A I did not.

21 Q Okay. And did you know there were purchase
22 prices for the -- purchase price for the two?

23 A Did not.

24 Q Okay. So you just thought it was 2 million
25 even, the purchase price was 2 million even?